

DISTRICT COURT OF GUAM  
TERRITORY OF GUAM

UNITED STATES OF AMERICA,  
Plaintiff,

vs.

**JOHNNIE FORTNER and  
KELLY FRANCISCO,**

Defendants.

CRIMINAL CASE NO. **07-00095**

**TRIAL ORDER**

IT IS HEREBY ORDERED that the trial for the defendant in this matter is set for **Wednesday, December 12, 2007, at 9:30 a.m.** Pretrial motions shall be filed no later than November 21, 2007.

IT IS FURTHER ORDERED that the following be filed or lodged with this Court no later than December 5, 2007 (seven calendar days prior to trial):

- 1) Proposed jury voir dire questions;
- 2) An original and one copy of the exhibit list - (Government's exhibits numbered; Defendant's exhibits lettered);
- 3) Three complete sets of marked and tabbed exhibits in three-ring binders. A copy of the Exhibit List shall be included in each three-ring binder. The parties shall meet and confer sufficiently in advance of trial and formulate a set of joint exhibits, if possible, to eliminate duplicate exhibits. Those exhibits upon which agreement cannot be reached shall be submitted separately by each respective party;
- 4) Any documents to be used in the examination of witnesses, but not to be introduced into evidence, such as police reports, investigative reports or witness statements - (one copy must be lodged with the Court);

- 1           5)     Proposed verdict forms;
- 2           6)     An original and one copy of witness lists for purposes of
- 3                 voir dire only - (Witness lists shall include: legal
- 4                 names, aliases, nicknames, place of residence and place
- 5                 of employment); and
- 6           7)     Proposed jury instructions - (Those jury instructions
- upon which an agreement cannot be reached shall be
- submitted in a separate packet, together with the
- objections and authority therefor of each party).

7           IT IS FURTHER ORDERED THAT:

- 8           1)     If additional witnesses are to be called or additional
- 9                 exhibits are to be submitted, an original and one copy of
- 10                a supplemental witness list or a supplemental exhibit list
- 11                must be filed with the Court. Additionally, three copies
- 12                of pre-marked supplemental exhibits must be lodged
- 13                with the Court prior to their use at trial. The three
- copies of the pre-marked exhibits must have three holes
- punched on the left-hand side so that they can be easily
- inserted in the three-ring exhibit binders previously
- submitted by the parties.
- 14           2)     If during the course of the trial, additional documents
- 15                 will be used in the examination of witnesses, but not
- introduced into evidence, one copy of each document
- shall be lodged with the Court prior to its use at trial.



/s/ **Joaquin V.E. Manibusan, Jr.**  
**U.S. Magistrate Judge**  
**Dated: Oct 19, 2007**